

MINUTES

COUNCIL ADMINISTRATOR FORM OF GOVERNMENT FOR AIKEN COUNTY

COUNCIL CHAMBERS, 736 RICHLAND AVENUE, W., AIKEN, S. C.

REGULAR MEETING – JUNE 7, 2005 – 7:00 P. M.

(A) CALL TO ORDER

Determining that a quorum was present, Chairman Young called the meeting to order.

Councilmembers present:

Chairman Ronnie Young
Kathy Rawls
Scott Singer
LaWana McKenzie
Chuck Smith
Eddie Butler
Charles Barton
Gary Bunker
Willar H. Hightower, Jr.

Also present:

J. Clay Killian, County Administrator
Robert M. Bell, County Attorney
Tamara Sullivan, Council Clerk

(B) INVOCATION

Councilman Hightower led in the invocation.

(C) PLEDGE OF ALLEGIANCE

Councilman Bunker led in the Pledge of Allegiance.

(D) APPROVAL OF MINUTES

1. May 17, 2005 Worksession
2. May 17, 2005 Regular Meeting
3. May 31, 2006 Special Meeting

- a. Councilman Butler made a motion to approve the minutes. Councilman Smith seconded.
- b. The minutes were approved by unanimous vote.

(E) APPROVAL OF AGENDA

- a. Councilman Butler made a motion to amend and approve the agenda as follows:
 1. Delete Old Business Item 3.
 2. Delete Old Business Item 4.
 3. Add Consent Item 13 – Proposed Resolution To Designate Saturday, June 18, 2005 as Juneteenth Day for Aiken County.

4. Add Consent Item 14 – Proposed Resolution To Honor Mrs. Bertha H. Williams on Her Surprise “Shhhhhhh-th” Birthday Party on June 17, 2005.
 5. Add Consent Item 15 – Proposed Resolution To Authorize the Central Procurement Division to Purchase Turbine Exhaust Silencer from Universal Silencer, Inc.
 6. Add Consent Item 16 – Proposed Resolution Providing for the Fees Received from the Various Fee-In-Lieu of Tax Agreements to be Split and Distributed Between Aiken County School District, USCA, Aiken Tech and Aiken County Government.
 7. Add Consent Item 17 – Proposed Voice Motion Based on the legal opinion from the County Attorney, the \$1,000 allocated from the County Council Contingency Fund (\$250 each from Districts 2, 6, 7, & 8) for the “Chavous Fund” has been rescinded.
- b. Councilwoman McKenzie seconded the motion. The amended agenda passed by unanimous vote.

(F) PUBLIC HEARINGS

1. Proposed Ordinance to Amend the 1999 Comprehensive Plan.
 - a. No comments were made.
2. Proposed Ordinance to Amend Section 24-112 Airport District of Chapter 24 Zoning and Development Standards of the Aiken County Code of Ordinances so as to Exclude Restaurants from the Definition of Places of Assembly.
 - a. No comments were made.
3. Proposed Ordinance to Establish Operating, Capital and Debt Service Budgets for Aiken County, South Carolina for the Fiscal Year July 1, 2005 Through June 30, 2006; to Provide for the Levy of Taxes for County Operations, Capital and Debt Services; to Provide for All Other Estimated Revenues and for the Appropriation Thereof; and to Provide for Other Matters Related Thereto.
 - a. Dr. Susan Graham, President of Aiken Technical College, addressed Council and requested a continuation of the current funding level for the College from this fiscal year.

In response to Councilman Singer’s question, the proposed decrease in funding would amount to an additional \$88.00 in tuition per full time student per semester. The increase would put the College at the top of the technical college system. The current tuition is \$1,418.

In response to Councilman Smith’s question about a tuition rate increase during the current fiscal year, Dr. Graham responded that tuition rates had gone up approximately \$50.

Councilwoman McKenzie asked for clarification on various student grants and scholarships and how the Technical College was impacted by those monies.

(G) OLD BUSINESS

1. Proposed Ordinance to Amend the 1999 Comprehensive Plan.
(County Council) (Third Reading)

- a. Councilwoman Rawls moved for the adoption. Councilman Hightower seconded.
 - b. Passed by majority vote with Councilman Bunker voting in opposition.
2. Proposed Ordinance to Amend Chapter 21 Subdivision Regulations, Chapter 24 Zoning and Development Standards, Chapter 5 Buildings and Building Regulations, and Chapter 13.5 Mobile Homes of the Aiken County Code of Ordinances by the Adoption of Provisions Concerning Vested Rights for Developments.
(Development Committee) (Third Reading)
 - a. Councilman Butler moved for the adoption. Councilman Smith seconded.
 - b. Passed by unanimous vote.
3. **DELETED**
4. **DELETED**

(H) CONSENT AGENDA/INTRODUCTION OF ORDINANCES FOR FIRST READING

I. REGULAR CONSENT AGENDA

1. Proposed Resolution to Appoint One Member to Designated Boards, Commissions and Committees with Terms of the Appointees to Run Concurrent with that of the Councilmember from Districts 1, 2, 3, 4, 6, and 7.
(Rawls, Singer, McKenzie, Smith, Barton, Bunker)
2. Proposed Resolution to Appoint Three Members to the Aiken County Accommodations Tax Advisory Committee.
(Development Committee)
3. Proposed Resolution to Approve the Allocation of Funds for Various Non Profit Agencies from the FY 2005 Council Contingency Fund.
(County Council)
4. Proposed Resolution to Authorize the County Administrator to Dispose of Surplus Property.
(Development Committee)
5. Proposed Resolution to Approve the Expansion of a C&D Landfill Located at 581 Rainbow Falls Road in Graniteville, South Carolina.
(Development Committee)
6. Proposed Resolution to Authorize the Acceptance of Funding from the South Carolina Department of Public Safety for the Second Year of a Domestic Violence Investigator Grant.
(County Council)
7. Proposed Resolution to Authorize the Acceptance of a Grant from the South Carolina Department of Public Safety for an Automated Fingerprint Identification System.
(County Council)
8. Proposed Resolution to Assign the Official Road Names to Existing Un-Named Private Roads in County Council District 1, 2, and 7.
(Rawls, Singer, Bunker)

9. Proposed Resolution to Accept a Deed and Certificate of Title for Lawana Drive (C-2592) in Valley Homes Subdivision Located in Council District 3.
(McKenzie)
10. Proposed Resolution to Direct that Speed Limit Signs be Erected on Rainbow Drive (C-883) Located in Council District 1.
(Rawls)
11. **MOVED TO NEW BUSINESS ITEM**
12. Proposed Ordinance to Establish Operating, Capital and Debt Service Budgets for Aiken County, South Carolina for the Fiscal Year July 1, 2005 Through June 30, 2006; to Provide for the Levy of Taxes for County Operations, Capital and Debt Services; to Provide for All Other Estimated Revenues and for the Appropriation Thereof; and to Provide for Other Matters Related Thereto.
(County Council) (Second Reading)
13. Proposed Resolution To Designate Saturday, June 18, 2005 as Juneteenth Day for Aiken County.
(ADDITION)
14. Proposed Resolution To Honor Mrs. Bertha H. Williams on Her Surprise “Shhhhhhh-th” Birthday Party on June 17, 2005.
(ADDITION)
15. Proposed Resolution To Authorize the Central Procurement Division to Purchase Turbine Exhaust Silencer from Universal Silencer, Inc.
(ADDITION)
16. Proposed Resolution Providing for the Fees Received from the Various Fee-In-Lieu of Tax Agreements to be Split and Distributed Between Aiken County School District, USCA, Aiken Tech and Aiken County Government.
(ADDITION)
17. Proposed Voice Motion Based on the legal opinion from the County Attorney, the \$1,000 allocated from the County Council Contingency Fund (\$250 each from Districts 2, 6, 7, & 8) for the “Chavous Fund” has been rescinded.
(ADDITION)
 - a. Councilman Butler asked to move Consent Item 11 to New Business Item 1 and then moved for the approval of the Consent Agenda. Councilman Smith seconded.
 - b. The Consent Agenda was approved by unanimous vote with Councilwoman McKenzie abstaining on Consent Item 9 and Councilman Singer abstaining on Consent Item 12.

(I) NEW BUSINESS

1. Proposed Ordinance to Approve a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 012-06-10-010 Located in the 500 Block of Belvedere-Clearwater Road, Belvedere, South Carolina in Council District 5 from RC to UD.
(Butler) (Second Reading) **(MOVED FROM CONSENT ITEM 11)**
 - a. Councilman Butler made a motion for approval to get the item on the floor for discussion. Councilman Hightower seconded.

- b. Councilman Butler expressed his concerns about the area being too congested and with the addition of the coming phase of the Bobby Jones Expressway, the problems will be magnified. Councilman Butler pointed out that on one side of Belvedere-Clearwater Road, in the area in question, there is a nice, well established neighborhood. Councilman Butler asked that the Planning Commission be consulted about the issue and that the possibility of buffers be looked into.
- c. The Ordinance failed by unanimous vote.
- d. Councilman Butler asked that the vote be reconsidered and made a motion to do so. Councilman Singer seconded.
- e. The motion to reconsider passed by unanimous vote.
- f. Councilman Singer made a motion to Table the Ordinance. Councilwoman McKenzie seconded.
- g. The motion to Table passed by unanimous vote.

(J) ITEMS FOR INFORMATION AND THE PUBLIC RECORD

- 1. Fiscal Year 2005 Aiken County Contingency Report as of May 18, 2005.

(K) INFORMAL MEETING OF WHOLE

- a. Mr. Larry Murphy discussed a report he had acquired which indicated that there was E-Coli present in Horse Creek, Little Horse Creek and Langley Pond. The contamination is coming from septic tanks that are old or improperly installed. The County Development Standards were discussed and it was suggested that new subdivisions should be required to connect to sewer lines.

Mr. Killian added that the swimming area at Langley Pond was monitored, per DHEC regulations, and that if the results of the testing are too high, the swimming area would be shut down.

- b. On another subject, Mr. Murphy stated the Aiken County School Board supported County Council's position on the fee-in-lieu of taxes payment from the Department of Energy.
- c. Councilwoman McKenzie made a motion to recess for Executive Session. Councilman Smith seconded.
- d. The motion to recess passed by unanimous vote.

RECESSED – 7:50 P. M.

(L) EXECUTIVE SESSION

- 1. Legal Matters:
 - a. Status Report on Pending Litigation, Legal Claims and Legal Advice.
(County Attorney) (Verbal)
- 2. Contractual Matters:

3. Personnel Matters:

RECONVENED – 8:37 P. M.

- a. Councilman Smith made a motion to adjourn the meeting. Councilman Hightower seconded.
- b. The motion to adjourn passed by unanimous vote.

(M) ADJOURNMENT – 8:38 P. M.

Respectfully submitted,

SIGNED:

Tamara Sullivan, Council Clerk

Ronnie Young, Chairman